

HOUSE No. 669

By Ms. Candaras of Wilbraham, petition of Gale D. Candaras and others relative to evidence of negligence in motor vehicle homicide prosecutions. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

Gale D. Candaras	Todd M. Smola
Pamela P. Resor	John W. Scibak
Timothy J. Twoomey, Jr.	Stephen J. Buoniconti
Anne M. Paulsen	Benjamin Swan
Scott P. Brown	James B. Eldridge
Bruce E. Tarr	Anne M. Gobi
Martha M. Walz	Mary S. Rogeness
William Williamson	Richard T. Moore
Mary Whitney	Mark C. Montigny
Emmett Halpin	Cheryl A. Rivera
Kevin Scott	Stephen M. Brewer
G. Richard Miller	Richard J. Ross
Richard R. Tisei	Philip Travis
Denis E. Guyer	Edward G. Connolly
Reed V. Hillman	

In the Year Two Thousand and Five.

AN ACT RELATIVE TO EVIDENCE OF NEGLIGENCE IN MOTOR VEHICLE HOMICIDE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 90 of the General laws, as appearing in
- 2 the 2002 Official Edition, is hereby amended by inserting after
- 3 section 24P the following section:—
- 4 Section 24Q. For purposes of proving negligence in a prosecution
- 5 for violation of section 24G or 24L, or section 13 of chapter 265 if

6 such violation was committed by use of a motor vehicle, if the
7 accused's license or right to operate a motor vehicle was sus-
8 pended or revoked by reason of a moving violation or moving vio-
9 lations, such suspension or revocation shall be admissible and
10 deemed relevant to the determination of the question of whether
11 the accused was negligent at the time the offense occurred.

1 SECTION 2. This act shall be known as the Kevin J. Pecor Act.